

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK
4 -----X
5 GREGORY BROOKS,
6
7 PLAINTIFF,
8
9
10 -against- Case No.:
11 17-cv-3626
12
13 THE DOE FUND, INC., TERRY COOPER
14 individually and in his official capacity,
15 JAMES WASHINGTON individually and in his
16 official capacity, and ANTHONY WIGGINS
17 individually and in his official capacity,
18
19 DEFENDANTS.
20 -----X
21
22
23
24
25

13 DATE: August 21, 2018
14 TIME: 10:47 A.M.
15
16

17 VIDEOTAPED DEPOSITION of a
18 non-party witness, JEROME HOUSE, taken by
19 the Plaintiff, pursuant to an Order and to
20 the Federal Rules of Civil Procedure, held
21 at the offices of The Derek Smith Law
22 Group, PLLC, One Pennsylvania Plaza, Suite
23 4905, New York, New York 10119, before
24 Jennie Siolidis, a Notary Public of the
25 State of New York.

1 J. HOUSE

2 Seidenfeld from Jackson Lewis on
3 behalf of The Doe Fund and James
4 Washington.

5 THE VIDEOGRAPHER: Thank you.
6 Our court reporter today is Jennie
7 Siolidis also with Diamond Reporting
8 & Legal Video. Would the court
9 reporter please swear in the witness?

10 THE COURT REPORTER: Raise your
11 right hand, please.

12 J E R O M E H O U S E, called as a
13 witness, having been first duly sworn by a
14 Notary Public of the State of New York, was
15 examined and testified as follows:

16 EXAMINATION BY

17 MS. GIORGIO:

18 Q. Please state your name for the
19 record.

20 A. Jerome House.

21 Q. What is your address?

22 A. 338 Forbell Street, Brooklyn,
23 New York, 11208.

24 Q. Mr. House, okay. So I'm
25 Christina Giorgio, as you know, and I'm

1 J. HOUSE

2 Q. And the zip?

3 A. 11208.

4 Q. How long have you lived there?

5 A. Since I guess November,

6 October, somewhere around there.

7 Q. Of what year?

8 A. Of 2018.

9 Q. This year is 2018.

10 A. Oh, no, no. 2017 to 2018.

11 Yeah.

12 Q. All right. Very good.

13 What is your weight?

14 A. About 160.

15 Q. And what is your height?

16 A. 5'7".

17 Q. And what race are you?

18 A. Black.

19 Q. Where were your born?

20 A. Long Island.

21 Q. So you're from New York?

22 A. Yes.

23 Q. And are you a heterosexual?

24 A. Yes, I am.

25 Q. Are you familiar with an entity

1 J. HOUSE

2 known as The Doe Fund?

3 A. Yes, I am.

4 Q. And how is it that you are

5 familiar The Doe Fund?

6 A. I heard about it. Going to the
7 shelter, they told me that they got classes
8 and stuff like that, and you can work, and
9 it's like you're living on your own, but
10 you're living in the shelter.

11 Q. Okay. Do you remember who
12 shared that information with you?

13 A. No, I don't.

14 Q. And so were you experiencing
15 homelessness at that time?

16 MR. SEIDENFELD: Objection.

17 A. Yes, I was.

18 Q. Were you -- were you
19 experiencing homelessness at that time?

20 A. Yes.

21 MR. SEIDENFELD: Objection.

22 Q. So this is something I failed
23 to explain.

24 A. Mm-hmm.

25 Q. Lawyers, myself included --

1 J. HOUSE

2 so we have a clear record.

3 MS. GIORGIO: Not a problem.

4 Q. Do you remember the year when
5 you found out about The Doe Fund?

6 A. 2012, maybe.

7 Q. And in 2012, prior to
8 participating at The Doe Fund, what was
9 your living situation?

10 A. I --

11 Q. Pardon -- pardon me.

12 When -- what was your housing
13 situation?

14 A. I was living with my cousin in
15 Brooklyn.

16 Q. Okay. And how long had you
17 been living with your cousin in Brooklyn?

18 A. About a year.

19 Q. Okay. Were -- and so when you
20 were living with your cousin --

21 A. Mm-hmm.

22 Q. -- did you consider that being
23 homeless?

24 A. Yes, I was.

25 Q. Why do you consider that being

1 J. HOUSE

2 homeless when you were living with your
3 cousin?

4 A. Because it -- it wasn't my
5 place of residence, and I slept on the
6 couch.

7 Q. Okay. Were you looking for
8 other shelter at that time?

9 A. Yes.

10 Q. Now, shortly -- how much time
11 lapsed between learning about The Doe
12 Fund and -- well, strike that.

13 At a -- after learning about
14 The Doe Fund, did you reach out to The Doe
15 Fund to become involved in their program?

16 A. Yes, I did.

17 Q. Do you remember when that was
18 approximately?

19 A. No, I don't.

20 Q. Do you remember about how much
21 time lapsed between the time somebody
22 shared with you about The Doe Fund and when
23 you actually connected with The Doe Fund?

24 A. About a week.

25 Q. Okay. And describe for us how

1 J. HOUSE

2 it is that you actually made contact with
3 The Doe Fund.

4 A. Well, I -- I think I Googled
5 them or something like that. I'm not sure.
6 But I got in touch with them, and they told
7 me that I needed to have a shelter bed to
8 get into The Doe Fund because The Doe Fund
9 was actually a shelter, so I needed to go
10 to a shelter somewhere. So I went to
11 Belmont -- Bellevue shelter on 31st Street
12 or 30th Street so they could give me a bed
13 number. And from there, I had to wait and
14 someone would see me about The Doe Fund,
15 and that's what happened.

16 Q. Okay. And do you remember who
17 you met with at that time?

18 A. Mike. I think his name was
19 Mike.

20 Q. And what was Mike's role, if
21 you know?

22 A. I don't know his role, but I
23 know he -- he was a driver. So he drove me
24 to The Doe Fund.

25 Q. Oh, okay. So describe what

1 J. HOUSE

2 happened next.

3 A. I went to The Doe Fund. They
4 issued me the clothes that I would have to
5 wear, and they gave me a room, and that was
6 it. I was ready to start working. No. I
7 was -- they said I would be there for like
8 a week or two before I started working, so
9 I was there for a week or two. They did
10 assessments of me, like doctors and stuff
11 like that. And the next week, I was in
12 work -- I was in the field working.

13 Q. Okay. I just want to make sure
14 I understand.

15 Now, Mr. House, from when Mike
16 picked you up and drove you to The Doe
17 Fund --

18 A. Yes.

19 Q. -- that same day, you became a
20 participant with The Doe Fund?

21 A. Well, not actually. I was just
22 living there. They didn't take me out to
23 work until I got approved or something like
24 that. And once I got approved to work,
25 then I started working.

1 J. HOUSE

2 Q. But just so I'm clear, from
3 when Mike drove you from Belle -- Bellevue
4 --

5 A. Mm-hmm.

6 Q. -- to The Doe Fund's shelter --

7 A. Mm-hmm.

8 Q. -- it was that same day you
9 became housed at The Doe Fund?

10 A. Yes, I did. Yes, I did.

11 Q. Okay. And do you remember the
12 address that they took you to?

13 A. 49 Porter Avenue in Brooklyn,
14 New York.

15 Q. Okay. And you shared that
16 there was a period of time where The Doe
17 Fund was doing some assessments --

18 A. Mm-hmm.

19 Q. -- correct?

20 A. Yes.

21 Q. Can -- after the assessments
22 were completed, can you describe the nature
23 of your work with The Doe Fund?

24 MR. SEIDENFELD: Objection.

25 Q. Okay.

1 J. HOUSE

2 A. Well, I -- I picked up garbage.
3 There were trash cans, and there were
4 certain trash cans that I was supposed to
5 put the garbage that I picked up off of the
6 street -- where I have to pick up garbage
7 off the street. And there were trash cans.
8 I put them in the trash cans or I was to
9 change the trash cans or, you know, stuff
10 like that, mostly sanitation type of stuff.

11 Q. Do you recall where you were
12 working?

13 MR. SEIDENFELD: Objection.

14 A. On -- on Third Avenue. Well,
15 Third Avenue, sometimes Park Avenue. It
16 varied sometimes. I was -- I was Midtown,
17 Midtown. I had a jacket that said Midtown.
18 I used to work Midtown.

19 Q. Midtown Manhattan?

20 A. Yes.

21 Q. And how many days a week did
22 you engage in this work?

23 MR. SEIDENFELD: Objection.

24 A. Five days.

25 MR. SEIDENFELD: I'm sorry, Mr.

1 J. HOUSE

2 House. You just have to give me a
3 second to -- to object before you
4 give you answer.

5 A. Okay.

6 MS. GIORGIO: And -- and just
7 for clari -- are you objecting to my
8 use of the word work?

9 MR. SEIDENFELD: I am.

10 MS. GIORGIO: Is that -- so you
11 -- you think that that's a form
12 objection?

13 MR. SEIDENFELD: I'm objecting
14 to how you're characterizing the
15 activities that he's taking part in.

16 MS. GIORGIO: I'm not sure if
17 that's a proper objection, but I -- I
18 -- I understand your --

19 MR. BARTOLOMEO: And -- and I
20 will say I second the objection.
21 Define legal term at least in the
22 purposes of me and Kelly have been
23 using it and, therefore, we believe
24 it's objectionable.

25 Q. Where were we?

1 J. HOUSE

2 So how many days a week were
3 you engaged in sanitation endeavors through
4 your partic -- participation with The Doe
5 Fund?

6 A. Five days a week.

7 Q. And how many hours a day when
8 you were engaged in these endeavors?

9 A. Six hours a day.

10 Q. Six hours a day.

11 Was that six continuous hours?

12 A. Yes, it was.

13 Q. And were you paid for those
14 hours of sanitation endeavor?

15 A. Yes, I was.

16 MR. SEIDENFELD: Objection, you
17 can answer.

18 Q. Let -- let -- let them get
19 their objection.

20 A. Okay.

21 Q. Because I want to make sure we
22 get your answer. Okay?

23 MR. SEIDENFELD: Objection.

24 You can answer.

25 A. I forgot what the question was.

1 J. HOUSE

2 Q. The question was and -- the
3 question was, were you paid?

4 A. Yes, I was. I was paid.

5 Q. And who paid you?

6 MR. SEIDENFELD: Objection.

7 A. I don't know who paid me. I
8 just got paid. My name came up, and it was
9 on a card. They issued me a card, and
10 that's how I was paid.

11 Q. Can you describe a little bit
12 more about being issued a card?

13 A. Well, when you come in, they --
14 they want you to have direct deposit, so I
15 had direct deposit. And they put the money
16 on a card, \$90.00 a week, put \$90.00 a week
17 on the card and that was your pay.

18 Q. And when you say they, who are
19 you referring to?

20 A. The Doe Fund.

21 Q. Okay. Do you remember the
22 conversation you had with any Doe Fund
23 staff member about how you would receive
24 money on this card?

25 A. No, I don't.

1 J. HOUSE

2 Q. Do you know if other Doe Fund
3 participants received the same payment?

4 MR. SEIDENFELD: Objection.

5 A. Well, everybody did. Everybody
6 got \$90.00, unless they worked overtime.

7 Q. Okay. And how do you -- how --
8 how do you know that?

9 A. They used to tell me and asked
10 me if I wanted to work overtime.

11 Q. What --

12 A. I never did. I never worked
13 overtime.

14 Q. When you say they told you, who
15 are you referring to?

16 A. Staff. Most of the people that
17 tell you you have to go to work, the staff.
18 And they said, do I want to work overtime,
19 and I said no.

20 Q. Were you told by The Doe Fund
21 what would be the arrangement if you did
22 work overtime?

23 MR. SEIDENFELD: Objection.

24 A. No.

25 Q. You shared with me that it --

1 J. HOUSE

2 you were paid -- you -- you received \$90.00
3 a week for the five days of sanitation
4 endeavors?

5 A. Mm-hmm. Mm-hmm.

6 Q. But you shared it would be
7 different if you worked overtime?

8 A. Yes, it would.

9 MR. SEIDENFELD: Objection.

10 Q. Well, I'm trying to understand
11 what would be different between, you know,
12 your six hours a day five days a week, so
13 30 -- that's 30 hours versus what the
14 arrangement would have looked like in terms
15 of receipt of payment on this card --

16 MR. SEIDENFELD: Objection.

17 Q. -- if you worked overtime.

18 MR. SEIDENFELD: Objection.

19 MR. BARTOLOMEO: Objection.

20 A. Well, I -- can you repeat the
21 question again?

22 Q. Sure.

23 You said that if you worked
24 overtime, something would have been
25 different with respect to the receipt.

1 J. HOUSE

2 A. Okay.

3 Q. That's what I'm -- that's what
4 I'm trying to understand.

5 What was your understanding of
6 the difference if you -- if you worked more
7 -- if you engaged in sanitation endeavors
8 --

9 A. Mm-hmm.

10 Q. -- for more than 30 hours a
11 week --

12 A. Yes.

13 Q. -- what would have been the --
14 the economic --

15 A. Yes.

16 Q. -- outcome of those extra
17 hours?

18 MR. SEIDENFELD: Objection.

19 A. I would get paid for the extra
20 hours.

21 Q. And who told you that?

22 A. It was general knowledge.
23 Like, it was general knowledge. I don't
24 think anybody told me.

25 Q. You don't recall anybody from

1 J. HOUSE

2 The Doe Fund sharing that with you?

3 A. No, I don't. Maybe Thomas
4 Perry might have told us. Whenever --
5 whenever I had a question about work, like,
6 it was a group question. Like, the whole
7 group asked the question. He answered it
8 in a group, so I think that he told us,
9 like, we would get paid for the extra
10 hours.

11 MR. BARTOLOMEO: Ms. Giorgio?

12 MS. GIORGIO: Yeah.

13 MR. BARTOLOMEO: Could you just
14 remind the witness that he's not to
15 try to guess today. We're just
16 trying to get from him his
17 independent recollection. And if he
18 doesn't recall, I would ask the
19 witness not to be making assumptions.
20 This deposition is a factfinding
21 mission. Sorry. This -- this
22 deposition is a factfinding miss --
23 mission.

24 Q. Well, it is -- this is an
25 opportunity to test your memory.

1 J. HOUSE

2 A. Yes.

3 Q. And, you know, we really don't
4 want you guessing.

5 A. Yes.

6 Q. Okay?

7 A. Okay.

8 Q. So with respect to the 30 hours
9 of sanitation work --

10 A. Yes.

11 Q. -- versus more than 30 hours of
12 sanitation work, did somebody from The Doe
13 Fund ask you to work more than 30 hours?

14 MR. SEIDENFELD: Objection.

15 A. Yes.

16 Q. Do you remember who that was?

17 A. The leader of my -- my -- my
18 team, matter of fact. The leader of my
19 team asked me if I wanted to work overtime.

20 Q. Do you remember that -- that
21 person's name?

22 A. No, I don't.

23 Q. Okay. Now, can you describe
24 for us a bit more about how the program
25 functioned in terms of your involvement

1 J. HOUSE

2 with The Doe Fund?

3 And -- and what I'm trying to
4 get at is, what was the structure of your
5 days and your evenings?

6 MR. SEIDENFELD: Objection.

7 A. Well, structure of my days was
8 work. Evening, I used to watch TV and
9 workout. I used to -- I used to work out a
10 lot. They had a gym in The Doe Fund, so I
11 took advantage of the gym.

12 Q. Okay. How did you get to the
13 locations where you were engaged in
14 sanitation endeavors?

15 A. By my own accord because I
16 wanted to go to The Doe Fund.

17 Q. When you got -- when you went
18 from is it 49 Porter Avenue to where you
19 were doing sanitation work, what mode of
20 transportation were you taking?

21 A. A van.

22 MR. SEIDENFELD: Objection.

23 Q. Okay. You were transported in
24 a van?

25 A. Yes, I was.

1 J. HOUSE

2 Q. And do you know who provided
3 that van?

4 A. The Doe Fund. I -- I don't
5 know the driver's name.

6 Q. Okay.

7 A. I can't remember his name.

8 Q. Would it be the same driver?

9 A. Yes, it was. He was an older
10 gentleman.

11 Q. Okay. And how many people
12 would be put in the van to be trans --

13 A. 15.

14 Q. I'm sorry. Mr. House, try to
15 let me finish.

16 A. Okay.

17 Q. I know it's hard.

18 How many people would be in the
19 van transported from Porter Avenue to the
20 place where you would be performing
21 sanitation endeavors?

22 MR. SEIDENFELD: Objection.

23 A. 15.

24 Q. Okay. Was it always 15?

25 A. No.

1 J. HOUSE

2 Q. So when -- why do you say 15?

3 Because you said it kind of confidently.

4 A. Because that was the most that
5 can go was 15. He used to count us. You
6 know what I mean? Because, sometimes there
7 would be more people than would be needed,
8 and he would count to make sure that there
9 was 15.

10 Q. Okay. And was there anybody
11 from The Doe Fund on-site when you were
12 engaged in the sanitation services where
13 you, you know, were supervised by somebody?

14 MR. SEIDENFELD: Objection.

15 A. Yes, I was.

16 MR. SEIDENFELD: You can
17 answer.

18 A. Yes, I was. When I got there,
19 we usually took over from the shift that
20 was working before we got there.

21 Q. Okay. And ex -- ex -- describe
22 for us that transition from team to team.

23 A. It was a -- we --

24 MR. SEIDENFELD: Objection.

25 A. The driver -- the driver used

1 J. HOUSE

2 to drop us off, and our leader would --
3 would be there, and I -- I -- they used to
4 switch. Everybody just switched.

5 Q. Okay. Who -- who is the
6 leader?

7 A. I don't know his name.

8 Q. What would the leader do?

9 A. Tell everybody what their jobs
10 were, what their responsibilities were.

11 Q. And do you know who that person
12 worked for?

13 MR. SEIDENFELD: Objection.

14 A. He worked for The Doe Fund.

15 Q. And how do you know that?

16 A. His jacket said Doe Fund.

17 Q. Okay. Do you know if that
18 person was a resident of the shelter?

19 A. Some of them were residents,
20 and some of them lived at home --

21 Q. The -- the --

22 A. -- in their own home. Yeah.

23 Q. The leaders?

24 A. Yes, the leaders.

25 Q. Okay. What did you have to

1 J. HOUSE

2 wear when you were performing these duties?

3 MR. SEIDENFELD: Objection.

4 A. A blue uniform. In Midtown, we
5 had two colors. There was -- there was
6 dark blue, and there was light blue. We
7 wore the dark blue, and -- yeah, we wore
8 the dark blue uniforms on the -- on -- on
9 Third Avenue. We wore dark blue.

10 Q. Okay. And were you collecting
11 garbage?

12 A. Not really collecting garbage;
13 sweeping up garbage off the street.

14 Q. And what would you do with the
15 waste with -- you know, after you swept it
16 up, what would you do with it?

17 A. I would put it in the -- in the
18 trash can.

19 Q. A trash can that was stationary
20 on the street?

21 A. Yes.

22 Q. Did you ever leave with trash?

23 A. You wasn't supposed to, but
24 some people left with trash, stuff they
25 used to find that they wanted.

1 J. HOUSE

2 Q. Okay. Okay. Describe -- now,
3 I understand that you were sheltered at The
4 Doe Fund --

5 A. Yes.

6 Q. -- Porter Avenue.
7 Describe your housing
8 situation.

9 A. I was homeless. I had left my
10 cousin's house because -- I just left
11 there, and I went to the -- to Bellevue.
12 That was my -- my place of residence. I
13 lived there. And I went to The Doe Fund.
14 Then I lived there.

15 Q. And -- and -- and describe what
16 the -- the shelter was like at Porter
17 Avenue.

18 A. It was cleaner than most
19 shelters, and the -- the people there were
20 a little different because they had ethic,
21 they wanted to work, and so that made the
22 environment different. That's -- that's
23 what it was. It's different.

24 Q. And where was your bed located?

25 A. On the third floor.

1 J. HOUSE

2 Q. Did you have a private room?

3 A. No, I didn't.

4 Q. Did you share a room with other
5 Doe Fund residents?

6 A. Yes, I did.

7 Q. How many beds approximately
8 were in your room?

9 A. At least 14 or 15 beds.

10 Q. Okay. The sanitation endeavors
11 that you worked with, did it have a -- a
12 program name?

13 MR. SEIDENFELD: Objection.

14 A. I don't -- I can't -- I don't
15 recall.

16 Q. Okay. What would happen if you
17 didn't show up to the van to engage in
18 sanitation endeavors?

19 MR. SEIDENFELD: Objection.

20 A. I wouldn't be -- I wouldn't get
21 paid. That's about it. And if I didn't
22 show up enough times, they would relieve me
23 of this position and put me somewhere else,
24 and I'd be out -- out of the program for
25 that.

1 J. HOUSE

2 Q. Were you getting any training
3 while you were at The Doe Fund?

4 A. I wanted to get training for --
5 for -- I used to want to go in the houses
6 and -- and chase the bugs out.

7 Q. Okay.

8 A. What's it called? It doesn't
9 -- in my mind right now, but --

10 Q. Okay.

11 A. -- that's what I wanted to do.

12 Q. And is that -- do you know if
13 that was a training program that the Doe
14 Fund offered?

15 A. Yes, it was.

16 Q. And how did you find that out?

17 A. That was one of the reasons I
18 went to the program because I -- an
19 exterminator. I wanted to take
20 extermination up, so I went to The Doe
21 Fund.

22 Q. Did you actually get any
23 extermination training?

24 A. No.

25 Q. Do you know why?

1 J. HOUSE

2 A. They made me leave.

3 Q. Was there ever a time where
4 they informed you that you needed to be at
5 The Doe Fund for a certain period of time
6 before you would get any extermination
7 training?

8 MR. SEIDENFELD: Objection.

9 A. Yes.

10 Q. Okay. What -- what did they
11 tell you?

12 A. I had to be there for --

13 MR. SEIDENFELD: Objection, you
14 can answer.

15 A. I had to be there for 90 days.

16 Q. Okay. Were you there --

17 A. Yes, I was.

18 Q. Can you -- let me ask -- Mr.
19 House, do you remember approximately how
20 long you were at the Porter Avenue shelter
21 with The Doe Fund?

22 A. About 18 months.

23 Q. And you were told --

24 A. Not sure.

25 Q. Okay. And more than a year?

1 J. HOUSE

2 A. Yes.

3 Q. And you were told that you had
4 to be there for 90 days before you get any
5 extermination training?

6 A. Yes.

7 Q. You were there for more than 90
8 days?

9 A. Yes, I was.

10 Q. Did you receive any
11 extermination training?

12 A. No, I didn't.

13 Q. Did you receive any other type
14 of training?

15 A. No, I didn't.

16 Q. Did you ever ask anybody about
17 why you weren't getting extermination
18 training?

19 A. Yes, I did.

20 Q. Who did you ask about that?

21 A. It was Thomas Perry and -- what
22 was -- well, Thomas Perry. I remember
23 asking him.

24 Q. Who's Mr. Thomas Perry?

25 A. He was like the superintendent,

1 J. HOUSE

2 the -- slash warden of the facility.

3 Q. Okay. And why is it that you
4 went to Mr. Perry to talk with him about
5 this?

6 A. Because there was no one else I
7 could talk to. Everyone else -- because
8 there was no one I could talk to.

9 Q. Okay. And do you remember what
10 you said to him?

11 A. I don't remember exactly what I
12 said to him.

13 Q. Okay. Do you remember
14 generally what you said to him?

15 A. Yeah, I remember generally. I
16 asked him what's up with the training,
17 what's up with the -- what's up with the --
18 what's -- extern -- what's up with the
19 extermination training, when does that
20 start. And they was tell -- telling me
21 that it's -- I have to take tests -- I had
22 to take tests and stuff like that because
23 you -- I think you had to read on a certain
24 level. Matter of fact, you did have to
25 read at a certain level, and that's how you

1 J. HOUSE

2 got in extermination.

3 Q. Were you -- did they offer you
4 those tests?

5 MR. SEIDENFELD: Objection.

6 A. A little while later. Like,
7 towards the end, they offered me that.

8 Q. Describe what you experienced
9 with respect to The Doe Fund offering you
10 that testing.

11 A. They just called me down and
12 told me that was -- that's what I was going
13 to be doing.

14 Q. Okay. And what happened next?

15 A. And I went into a class, and I
16 took the test.

17 Q. Did you pass?

18 A. Yes, I did.

19 Q. Then what happened?

20 A. And then they was supposed to
21 be getting me ready to take extermination
22 classes, and then the crap with Terry
23 Coopers happened.

24 Q. Okay. So if I understand it
25 correctly, you did not receive the

1 J. HOUSE

2 extermination training?

3 A. No, I didn't.

4 Q. Okay. Did you have a

5 supervisor at The Doe Fund?

6 MR. SEIDENFELD: Objection.

7 A. Yes, I did.

8 Q. And who was that person?

9 A. I don't remember his name.

10 Q. What did that person do?

11 A. He just managed us while we

12 were on the street.

13 Q. Okay. Is that the person you

14 referred to as a leader?

15 A. Yes.

16 Q. Okay. Did you have a counselor

17 when you were at The Doe Fund?

18 A. Yes, I did.

19 Q. And who was that?

20 A. Laura something. I don't

21 remember her last name.

22 Q. Okay. And what services did

23 she provide for you?

24 A. Well, she just made sure I was

25 okay and happy and doing my job.

1 J. HOUSE

2 Q. How often would you meet with
3 her?

4 A. Once a week or when it was
5 necessary.

6 Q. And --

7 THE VIDEOGRAPHER: I'm sorry.
8 I'm getting some rustling from the
9 microphone.

10 THE WITNESS: Okay.

11 THE VIDEOGRAPHER: Can you just
12 move it up just a bit? Thank you.

13 Q. Where -- where did you meet
14 with her?

15 A. In her office.

16 Q. Where was her office located?

17 A. On the first floor.

18 Q. The first floor of what?

19 A. The Doe Fund.

20 Q. At the Porter Avenue?

21 A. At the Porter Avenue Doe Fund.

22 Q. Okay. Are you familiar with a
23 gentleman named Terry Cooper?

24 A. Yes, I am.

25 Q. And who is Terry Cooper?

1 J. HOUSE

2 A. He was house manager/counselor.

3 Q. Okay. And when you say he was
4 house manager/counselor, for who?

5 A. For the facility, for everyone
6 in the facility.

7 Q. And what facility is that?

8 A. 89 Porter Avenue, Doe Fund.

9 Q. Okay. Is it your understanding
10 that Mr. Cooper works -- worked for The Doe
11 Fund?

12 A. Yes, he did.

13 Q. Okay. How do you know that?

14 A. On his shirt that he used to
15 wear every day.

16 MR. SEIDENFELD: I'm sorry. I
17 just didn't hear his answer. I
18 apologize. That was my fault. I
19 apologize.

20 Q. We had a cough. We had a sound
21 interference.

22 A. Oh.

23 Q. How did -- how did you know he
24 worked for The Doe Fund?

25 A. His shirt was one indication.

1 J. HOUSE

2 Q. What did his shirt say?

3 A. Doe Fund. It had a little logo
4 on it that said Doe Fund.

5 Q. Did it say anything else?

6 A. No.

7 Q. And what -- what was your
8 understanding of the responsibilities of a
9 house manager?

10 A. They was supposed to make sure
11 everyone slept where they supposed to
12 sleep, and they made sure everyone got paid
13 and made sure everyone had the right
14 clothes, and I don't -- that was it mostly
15 what I could tell.

16 Q. And did you interact with Mr.
17 Cooper while you were at The Doe Fund?

18 A. Yes, I did.

19 Q. How often would you interact
20 with him?

21 A. Well, I -- I don't think he --
22 well, he didn't work there all the time.
23 He only was in -- as I said, he was
24 counselor first and -- slash house manager,
25 so I worked I think, you know, like, on the

1 J. HOUSE

2 weekends mostly.

3 Q. I'm sorry, you're saying he
4 worked on the weekends mostly?

5 A. Yes.

6 Q. Okay. And I take it you were
7 there on the weekends?

8 A. Yes.

9 Q. Okay. Did he dis -- did he
10 play any role with respect to you said
11 clothing, work schedules?

12 A. Yes.

13 MR. SEIDENFELD: Objection.

14 Q. Did -- did -- did he have any
15 involvement with respect to your -- you
16 know, your participation with The Doe Fund?

17 MR. SEIDENFELD: Objection.

18 MR. BARTOLOMEO: Objection.

19 Q. Did he ever give you
20 instructions?

21 A. Yes, he did.

22 Q. Describe the nature of the
23 instructions he gave you.

24 A. Going to bed, what time -- what
25 time are you going to bed or what time you

1 J. HOUSE

2 got to be up in the morning, make sure I
3 clean -- my clothes are clean, stuff like
4 that.

5 Q. Okay. What does Mr. Cooper
6 look like?

7 A. Brown skin, curly hair, a
8 little out of shape, glasses. That's about
9 it. That's all I remember.

10 Q. Do you remember his approximate
11 height?

12 A. About maybe the same height as
13 me. Maybe an inch or two taller.

14 Q. Okay. Do you remember the
15 first time you met him?

16 A. No. I don't remember the first
17 time I met him.

18 Q. Okay. Okay. And did you have
19 an understanding of what Mr. Cooper's
20 sexual orientation was?

21 A. Well -- well, if I had to
22 guess, which I'm not guessing, I would say
23 that he was a homosexual.

24 Q. And what -- what made you think
25 that?

1 J. HOUSE

2 A. His mannerisms, mostly.

3 Q. Can you be more specific with
4 respect to his mannerism?

5 A. I guess the way he talked
6 mostly, like the -- the way he talked.
7 And, yeah, because that's -- that's it.
8 Like, it's just the way he talked.

9 Q. Okay. Did you have an
10 interaction with -- excuse me.

11 Did Mr. Cooper ever come into
12 your room where your bed was located?

13 A. Yes, he did.

14 Q. Okay. I -- did that happen on
15 a regular basis?

16 A. Yes, that did.

17 Q. Okay. Was there ever a time
18 where he came into your room where his
19 conduct was inconsistent with what you
20 would expect from a house manager?

21 MR. BARTOLOMEO: Objection.

22 MR. SEIDENFELD: Objection.

23 A. Yes, it was.

24 MR. BARTOLOMEO: Go ahead.

25 A. Yes, it was.

1 J. HOUSE

2 Q. Okay. Do you remember
3 approximately what month and year that was?

4 A. I don't remember what year and
5 month it was, no. I don't remember what
6 year and month it was.

7 Q. Okay. You were at The Doe
8 Fund, though --

9 A. Yes.

10 Q. -- correct?

11 A. Yeah.

12 Q. Mr. House, I would like for you
13 to describe for us what you experienced
14 when you were at The Doe Fund as it relates
15 to Mr. Cooper.

16 MR. SEIDENFELD: Objection.

17 MR. BARTOLOMEO: Note my
18 objection.

19 A. Uncomfortability. That's what
20 he made me feel, uncomfortable.

21 Q. Why did he make you feel
22 uncomfortable?

23 A. Because he -- he touched my
24 genitals.

25 Q. Okay. What I'd like you to do

1 J. HOUSE

2 is start from -- well, if I may, did he
3 touch your genitals on more than one
4 occasion?

5 A. No.

6 Q. Okay. What I'd like you to do
7 is describe for us the -- what happened on
8 the day he touched your genitals.

9 A. Okay. It was a day when I
10 didn't have anything -- no work to do, so I
11 woke up for breakfast. I was tired. So I
12 went to the bathroom to smoke some K2.
13 That's what I did. I smoked K2. And I
14 went to my room, which is across the
15 hallway, and he came in my room about five
16 or ten minutes later. And first of all, he
17 walked to my bed. And when I say walked, I
18 mean he danced to my bed.

19 So he got to my bed, and I'm
20 scared because I've been smoking K2, and,
21 like, it's right across the hallway, and
22 I'm thinking I smell like K2 and the room
23 smell like K2 and everything. Like -- but
24 he leans down. He picks up a piece of
25 paper off my floor. There was a bunch of

1 J. HOUSE

2 piece of papers -- a bunch of papers on my
3 floor.

4 He picked up a piece of paper
5 off my floor and placed it over my
6 genitals. I'm looking at him like he's
7 crazy, like what are you -- what are you
8 doing? And he's -- and then he grabs the
9 paper off my genitals. But this time when
10 he grabbed it, he made sure his fingers --
11 his fingers touched my genitals. You know
12 what I mean? And then he just -- that was
13 it.

14 And I stood there -- not stood
15 there. I laid there like in shock. You
16 know what I mean? And while I'm laying
17 there -- I -- I -- I can't recall whether I
18 asked him, what are you doing or -- I'm
19 pretty much I asked him what he was doing.
20 But then he said nothing, nothing, nothing.
21 And -- and then he went down to the front
22 of my room, and I couldn't see what he was
23 doing, but I could have sworn that he did
24 the same thing to me to the person in the
25 front of the room. And I didn't see him do

1 J. HOUSE

2 it. You know what I mean? But from what I
3 heard, that's what it sounded like he was
4 doing.

5 Q. Now, if I may, I want to ask
6 you some questions about your situation in
7 the bed.

8 A. Okay.

9 Q. Were you clothed?

10 A. I had on underwear. I don't
11 remember if I had a shirt on or not.

12 Q. Do you -- with respect to, you
13 know, bed coverings, were you on top of
14 sheets, under sheets?

15 A. I was laying with a sheet ov --
16 over me.

17 Q. And do you remember how high up
18 the sheet came?

19 A. To about my stomach area.

20 Q. And were you doing anything in
21 the bed in particular when Mr. Cooper came
22 into the room?

23 A. I was looking at a video
24 because I -- that's how I go to sleep. I
25 watch videos until I fall to sleep, and I

1 J. HOUSE

2 had a portable DVD player in my bed with
3 me, and I was watching DVD.

4 Q. Do you remember what you were
5 watching?

6 A. No, I don't. No, I don't.

7 Q. And when you say that Mr.
8 Cooper put a piece of paper on top of your
9 genitals --

10 A. Mm-hmm.

11 Q. -- where did he get the paper
12 from?

13 MR. SEIDENFELD: Objection.

14 A. Well, he picked it up off the
15 floor. There was a bunch of pieces -- a
16 bunch of paper on my floor. Like, you
17 know, I used to just have a little messy,
18 and I used to keep a bunch of papers on my
19 floor.

20 Q. Okay.

21 A. And he picked the piece of
22 paper off the floor.

23 Q. And when you describe him
24 touching your genitals --

25 A. Mm-hmm.

1 J. HOUSE

2 Q. -- if I understand you
3 correctly, your genitals, the actual skin
4 was not exposed --

5 A. No, it wasn't.

6 Q. -- was it?

7 MR. SEIDENFELD: Objection.

8 Q. Okay. So you had some
9 underwear on?

10 A. And a sheet.

11 Q. Okay. But you described him as
12 touching your genitals?

13 (Whereupon, a cell phone
14 rings.)

15 A. Yes.

16 MR. SEIDENFELD: Objection.

17 Q. So can you, again, a little
18 more -- let's focus on the motion that he
19 engaged in when he put the paper on you --

20 A. Mm-hmm.

21 Q. -- and then removed the paper.

22 MR. SEIDENFELD: Objection.

23 A. He -- whatever hand it was,
24 right or left, he put the paper on my
25 genitals and, like, he set it like that

1 J. HOUSE

2 (Indicating.) And when he pulled it off,
3 that's when his fingers went down a little
4 bit, I think, so he could feel something
5 and took the piece of paper off.

6 Q. What parts of your genitals did
7 you feel him, I should say, rub?

8 A. My penis and testicles.

9 MR. SEIDENFELD: Objection.

10 MR. BARTOLOMEO: Note mine as
11 well.

12 Q. Okay. Do you remember him
13 saying anything to you after that?

14 A. I don't really recall. I was
15 in shock. Like, I don't recall what he
16 said. He was saying something, but it --
17 he was saying something. I don't recall
18 what it was.

19 Q. And you said he went to the
20 other side of the room and --

21 A. Yes.

22 Q. -- engaged with another
23 resident?

24 A. Yes.

25 Q. Do you --

1 J. HOUSE

2 MR. SEIDENFELD: Objection.

3 Q. Do you remember the name of
4 that resident?

5 A. Santana something.

6 Q. Okay.

7 A. That was his last name or his
8 first name, Santana.

9 Q. Okay. And had Santana been in
10 the same room for you for some period of
11 time?

12 A. For a couple of months.

13 Q. Okay. Do you remember what
14 time of day this was?

15 A. This was in the morning after
16 breakfast.

17 Q. Okay. And why were you smoking
18 K2 in the bathroom?

19 A. Something I did. Like, it was
20 something I did. I didn't used to. I
21 started -- well, I started again in -- in
22 Ready, Willing and Able because I quit, and
23 then I started again while I was at Ready,
24 Willing and Able.

25 THE COURT REPORTER: Ready,

1 J. HOUSE

2 Willing and Able?

3 THE WITNESS: Ready, Willing
4 and Able.

5 Q. What is Ready, Willing and
6 Able?

7 A. That's The Doe Fund.

8 Q. Okay. How long did Mr. Cooper
9 stay in the room, if you recall?

10 A. Five or ten minutes.

11 Q. Total?

12 A. I believe he was at -- yeah,
13 five or ten minutes.

14 Q. And how is it that he left?

15 A. He just walked out like he
16 didn't even do nothing. He just walked
17 out.

18 Q. Did -- what happened after he
19 left the room?

20 A. Me and Santana started talking
21 about what this dude did to us. You know
22 what I mean? We were saying we were going
23 to go to the police and tell the police and
24 we want to tell Thomas Perry and -- and the
25 next day came, and he didn't want to go to

1 J. HOUSE

2 the police, and so I was the only one that
3 went to the police.

4 Q. How did the -- the contact
5 that -- well, how did the touching -- Mr.
6 Cooper's touching, how did that make you
7 feel in that moment?

8 A. Well, aggravated, like -- and
9 shocked. You know what I mean? That was
10 it. I was shocked and aggravated, man.

11 Q. Why were you shocked?

12 A. Because I couldn't believe that
13 he's a counselor. You know what I mean?
14 He's a house manager of The Doe Fund, of --
15 you know what I mean? His responsibility
16 is much -- you know what I mean? Like, he
17 has a lot of responsibilities, and I didn't
18 expect him to do nothing like that, man.

19 Q. How did you interpret his
20 touching?

21 MR. SEIDENFELD: Objection.

22 MR. BARTOLOMEO: Objection.

23 A. Sexual.

24 Q. What makes you say that?

25 A. Just the way he did it, man.

1 J. HOUSE

2 It was like sexual, man. Like, he was
3 trying to just -- he was trying to see what
4 I would do or see what I would say or
5 something like that. I don't know, man.
6 But it was sexual intent. Like, you know?

7 Q. Okay. Were you -- describe --
8 well, you said you were in bed --

9 A. Mm-hmm.

10 Q. -- after this hap -- when this
11 happened.

12 Were you able to sleep after
13 this happened?

14 A. Yeah, I couldn't sleep, man.
15 It was -- it was running through my head.
16 It just kept playing over and over again in
17 my head. You know what I mean? I tried to
18 talk to Santana about this, and then I
19 think he liked it. You know what I mean?
20 That's why he didn't want to say nothing.
21 Or I don't know what his problem was, man.
22 But I know I had a hard time sleeping for
23 the next couple of nights. You know what I
24 mean?

25 Q. Could you see what Mr. Cooper

1 J. HOUSE

2 was doing with Mr. Santana?

3 A. No. I couldn't see what he was
4 doing. You know what I mean? But he said
5 he was doing the same thing to him.

6 Q. Did you -- did you report this
7 to anybody at The Doe Fund?

8 A. Yes, I did. Thomas Perry.

9 Q. When did you report this to Mr.
10 Thomas Perry?

11 A. The next day.

12 Q. And Mr. Thomas Perry's role at
13 The Doe Fund is what?

14 A. Like a supervisor or a
15 superintendent, the warden, something like
16 that.

17 Q. Okay. And what do you recall
18 about reporting this to Mr. Thomas Perry?

19 A. I remember him telling me to
20 come in -- in his office. It was a room
21 like this, a big room with a round table in
22 the middle. And I sat on one end of the
23 table, and he sat on the other end. And I
24 told him what he did. You know what I
25 mean? But it was like I told him nothing.

1 J. HOUSE

2 He just kept -- something about me smoking
3 K2, I'm on the verge of this, I'm on the
4 verge of that, and that was it. You know?

5 Q. Did you go into detail with
6 respect to what Mr. Cooper did?

7 A. Yes, I did.

8 Q. Can -- do you remember the
9 words you used when you talked with Mr.
10 Perry?

11 A. No. I don't remember the words
12 I used, but I'm sure they was -- you know
13 what I mean? They were how I feel right
14 now. Like, it was aggravated. Like, the
15 words I used was aggravation. Like, you
16 know?

17 Q. What did -- did you ask Mr.
18 Perry to take some action?

19 A. I don't think I asked him. I
20 don't think I asked him.

21 Q. Did you have some sort of
22 expectation as to what The Doe Fund would
23 do?

24 A. I thought he would go to jail.
25 I thought he would go to jail, and he

1 J. HOUSE

2 didn't.

3 Q. What did you want The Doe Fund
4 to do?

5 A. Arrest him, send him to jail.
6 Like, send him to jail, man. That's where
7 he needs to be, in jail. He don't need to
8 be around anybody like that and getting
9 touched like that. It was too much power
10 for him because he just walked into
11 anybody's room at any time he wanted, and
12 that was too much power for him, man.

13 Q. Okay. When Mr. Perry didn't
14 take the action that you wanted him to
15 take, what did you do next?

16 A. Smoked K --

17 MR. SEIDENFELD: Objection.

18 A. -- smoked K2 until I left.

19 Q. Did you report it to anybody
20 else?

21 A. No. To the police.

22 Q. Okay.

23 A. I told the police.

24 Q. So tell us about how you
25 brought the police into this.

1 J. HOUSE

2 A. Well, I remember they came,
3 they picked me up in front of The Doe Fund,
4 and I remember them asking me, like, what
5 was I waiting there for. And I said, the
6 police. And they told -- and they asked me
7 what happened, and I told them what
8 happened. And the police came, took me to
9 the station, gave them my -- gave them my
10 report, and they brought me back.

11 Q. Did you call the police on your
12 own phone?

13 A. Yes, I did.

14 Q. And how did you know which
15 police station to call?

16 A. I just -- 911.

17 Q. Okay. And how long did you
18 wait for the police?

19 A. I don't remember, but a couple
20 of minutes. I don't remember.

21 Q. Okay. And when you said you
22 were waiting out front and it seemed like
23 you were telling some people you were
24 waiting for the police --

25 A. Yeah.

1 J. HOUSE

2 Q. -- who was that you were
3 talking with?

4 MR. SEIDENFELD: Objection.

5 A. Security.

6 Q. It's okay.

7 A. Security.

8 Q. Security?

9 A. Yeah.

10 Q. And is there one security guard
11 you're referring to, or multiple security
12 people?

13 A. Well, I was cool with all of
14 the security staff, but there was one -- a
15 guy my age or a little younger that I used
16 to talk to the most. I don't remember his
17 name. I think his name was John or
18 something like that. I don't remember his
19 name, but I talked to him the most.

20 Q. Okay. Was John there that
21 day --

22 A. Yeah.

23 Q. -- when you were waiting for
24 the police?

25 A. Yes.

1 J. HOUSE

2 Q. Okay. And just to clarify, did
3 the police take a statement while you were
4 at The Doe Fund, or did --

5 A. They took two statements.

6 MR. SEIDENFELD: Objection.

7 Q. Okay. Okay. Go -- describe
8 again the process of giving a statement to
9 the police about Mr. Cooper.

10 A. Which time?

11 Q. I -- I want to make sure I
12 understand --

13 A. Okay.

14 Q. -- what happened.

15 A. They took -- when they came --

16 Q. The police came.

17 A. When the police came, they --
18 we met in a room.

19 Q. At The Doe Fund?

20 A. At -- at The Doe Fund. We met
21 in the room, and I told them what happened,
22 and then I told them how it happened, and
23 then I went to the police station. They
24 came and got me. They took me in -- a lady
25 took down what happened again, and then

1 J. HOUSE

2 they brought me back.

3 Q. Was that on the same day that
4 you went to the police station?

5 A. Yes.

6 Q. Okay.

7 A. Yes.

8 Q. And did you ever speak with the
9 police about this again?

10 A. I think one or two more times.

11 Q. And how did that come about?

12 A. Same thing Thomas Perry did,
13 nothing. They didn't do nothing. They
14 acted like they was, but they didn't do
15 nothing.

16 Q. Did you go to the police
17 station again, or did the police come to
18 The Doe Fund again?

19 A. No. They came -- they came
20 to -- to The Doe Fund.

21 Q. How is it that they came -- how
22 is it that the police came to The Doe Fund
23 again?

24 A. First of all, they were always
25 around that area anyway because they were

1 J. HOUSE

2 called there a lot. And, yeah, like, they
3 were always in that area, and that's it.
4 Yeah.

5 Q. But I'm trying to understand.
6 Would a police officer come to talk with
7 you specifically about your --

8 A. Yes, about that. Exactly.

9 Q. Okay. What do you remember
10 about that?

11 A. Well, I remember telling them
12 there was two -- they wasn't playing. They
13 was -- had on uniforms. Two uniform cops
14 came and talked to me in the other room.
15 And then when I went to the police station,
16 I gave my statement to a lady sitting down
17 at a desk.

18 Q. Okay. But it sounded --
19 forgive me if I'm mis -- mishearing what
20 you're saying, but it sounded like after
21 you -- after you went to the police station
22 --

23 A. Mm-hmm.

24 Q. -- and gave a report --

25 A. Mm-hmm.

1 J. HOUSE

2 Q. -- you went back to The Doe
3 Fund.

4 A. Mm-hmm.

5 Q. And it sounded like another
6 police officer came to The Doe Fund --

7 A. No.

8 Q. -- and talked with you? No?

9 MR. SEIDENFELD: Objection.

10 MR. BARTOLOMEO: Objection.

11 Q. No. That's -- okay. I just
12 wasn't sure if I understood.

13 A. Yeah.

14 Q. Okay. Now, did -- did you see
15 Mr. Cooper again after he touched you?

16 A. Yeah.

17 MR. SEIDENFELD: Objection.

18 A. Yes.

19 Q. When -- when did you see him
20 again?

21 A. I think later on that week or
22 something like that. You know, we met
23 passing each other in the hallways.

24 Q. How did you feel being around
25 him?

1 J. HOUSE

2 A. Well, it pissed me off that he
3 was still working there. It pissed me off.

4 Q. Did you ever talk to anybody
5 else at The Doe Fund about what happened
6 other than Mr. Perry?

7 A. Well, after I left The Doe
8 Fund?

9 Q. No. While you're still at The
10 Doe Fund.

11 A. Well, a guy named Mike, my man.
12 A guy named Mike, I told him about it too.

13 Q. And this is while you were at
14 The Doe Fund?

15 A. Yes.

16 Q. Okay. Do you remember Mike's
17 last name?

18 A. Mackentire.

19 Q. Mackentire.

20 And what did Mike Mackentire do
21 at The Doe Fund?

22 A. He did the same thing I did.
23 He just -- he was paroled there. He was --
24 you know what I mean? But --

25 Q. Okay.

1 J. HOUSE

2 A. -- he did mostly the same thing

3 I did.

4 Q. Okay. And you actually told

5 him what had happened with --

6 A. Yes.

7 Q. -- Mr. Cooper?

8 Okay. Now, did a time come

9 where you left The Doe Fund?

10 A. Yes.

11 Q. Okay. How much time lapsed

12 between what happened with Mr. Cooper in

13 your room and you leaving The Doe Fund?

14 A. Couple of weeks.

15 Q. Couple of weeks?

16 A. Yeah.

17 Q. What -- how is it that you

18 ended up leaving The Doe Fund?

19 A. Because they wanted to move me

20 somewhere, and I didn't know why they

21 wanted to move me. It wasn't like I was

22 fired or anything. So I didn't want to go.

23 And I went to my cousin's house instead.

24 Q. How did they describe this

25 sending you someplace else? What -- what

1 J. HOUSE

2 -- what did that -- how did they describe
3 that to you?

4 A. They didn't --

5 MR. SEIDENFELD: Objection.

6 A. -- describe it. They just
7 described it as like pack up, and that was
8 it.

9 Q. Did they tell you where'd you
10 be going?

11 A. No.

12 Q. Did they tell you how long
13 you'd be going?

14 A. No, uh-uh.

15 Q. How is it that you didn't want
16 to go?

17 A. Because --

18 MR. SEIDENFELD: Objection.

19 A. Well, because that was the -- I
20 didn't want to go to another shelter. I
21 was already in The Doe Fund, and I didn't
22 want to go to no other shelter. I didn't
23 want to be in the shelter I was in, but
24 they were making me move for some reason.

25 Q. Do you know if it was going to

1 J. HOUSE

2 be a Doe Fund shelter?

3 A. No.

4 Q. You don't know that?

5 A. No.

6 Q. Did they tell you how you were
7 going to get to this other shelter?

8 MR. SEIDENFELD: Objection.

9 A. No. But they had a driver out
10 in the front. They had a driver out in the
11 front.

12 Q. Were you the only person told
13 that you needed to go to a different
14 shelter that day?

15 MR. SEIDENFELD: Objection.

16 A. Yeah.

17 Q. How do -- and how do you know
18 you were the only person told you had to go
19 to another shelter that day?

20 MR. SEIDENFELD: Objection.

21 A. I was the only one out there
22 waiting for the -- waiting for the driver
23 or the bus or something. I was the only
24 one. So I went home. I went to where I
25 used to live at before.

1 J. HOUSE

2 Q. Where was that?

3 A. In Brooklyn, Cypress Projects.

4 Q. With who?

5 A. My cousin.

6 Q. Okay. The same cousin that you
7 were --

8 A. Yes.

9 Q. -- sleeping on his couch prior
10 to participating with The Doe Fund?

11 A. Yes.

12 Q. Have -- since leaving The Doe
13 Fund, have you talked with anybody about --
14 anybody from The Doe Fund? So after
15 leaving The Doe Fund, have you spoken with
16 anybody from The Doe Fund about what
17 happened with Mr. Cooper?

18 MR. SEIDENFELD: Objection.

19 MR. BARTOLOMEO: Objection.

20 A. Well, no. No. I seen a guy
21 that was -- after I got -- I was going to
22 visit my brother up north in prison, and I
23 was walking down 125th Street, one of those
24 blocks, and I seen a person I was in The
25 Doe Fund with. He remembered me, but I

1 J. HOUSE

2 didn't remember him. And I asked him was
3 Cooper still there, and he said no, he got
4 caught doing something to somebody, to a
5 white guy, and they fired him.

6 Q. Do you remember this man's
7 name?

8 A. I don't. I swear I don't.

9 Q. Why did you feel the need to
10 ask about Mr. Cooper?

11 A. Because I wanted to see if he
12 still was in the same position he was when
13 I left.

14 Q. Do you remember when this was
15 that you talked with this gentleman?

16 A. No. I don't remember. It
17 was -- I don't remember when it was. It
18 was -- I was going up to see my -- my
19 brother, so it was in -- in like the fall.

20 Q. Of what year?

21 A. Of 2013, it had to be. Like --

22 Q. So --

23 A. -- 2013, '14, something like
24 that.

25 Q. -- how much time approximately

1 J. HOUSE

2 lapsed between you leaving The Doe Fund and
3 talking to this gentleman about Mr. Cooper?

4 A. Like about six months.

5 Q. Okay. How has Mr. Cooper's
6 touching affected you?

7 MR. SEIDENFELD: Objection.

8 MR. BARTOLOMEO: Objection.

9 A. I think just that -- well --
10 well, honestly, no one has ever gave me
11 the -- the type of -- no one has given me
12 the -- the -- I don't get the feeling that
13 Mr. Cooper used to give me. Like, I don't
14 feel anything -- Cooper was -- I didn't
15 feel like there was anyone -- anyone there
16 was -- is preying on me. That's what I
17 wanted to say, like preying on me because
18 that's -- it felt like he was preying on
19 me, so I haven't felt that way since The
20 Doe Fund.

21 Q. How -- how did -- did his
22 touching affect you psychologically?

23 MR. SEIDENFELD: Objection.

24 A. Anger, mostly. Just angry when
25 I think of that. Just angry. It just

1 J. HOUSE

2 pisses me off every time I think of that.

3 Q. And it makes you angry why?

4 A. Because he -- he violated me,
5 man. Like, he -- he came and he violated
6 me. Like, he was preying on me, preying on
7 me, waiting for me to get high and then --
8 waiting for me to get high, and then he
9 would come in the room and try to take
10 advantage of me.

11 Q. Why do you say waiting for you
12 to get high?

13 A. Because he knew I smoked K2,
14 first of all. And K2 wasn't a part of --
15 they didn't like people that smoked K2.
16 And so the bathroom had a camera in it.
17 You know what I mean? I mean the -- the
18 hallway had a camera in it, and it's -- the
19 bathroom was right across from my room. So
20 he came up there right after I come out
21 from smoking K2. You know? And I'm laying
22 down there. It felt like he was -- I -- I
23 -- I -- I don't know, but it felt like he
24 was watching and waiting.

25 Q. How does K2 make you feel?

1 J. HOUSE

2 possession of crack, were you selling or
3 using or something else?

4 A. I was selling and using. But
5 at the time, I was arrested for just
6 selling.

7 Q. And can you recall how much
8 crack you had on you at that time?

9 A. I don't know.

10 Q. And what was the -- withdrawn.
11 Did you plea -- take a plea, or
12 did you stand trial for that arrest?

13 A. I took a plea.

14 Q. And what did you plea to?

15 A. Guilty.

16 Q. And for -- what was the
17 sentencing?

18 A. It was -- it was a joint
19 sentence. It was a -- because I got
20 arrested for a gun that time also, and they
21 tacked the gun on. It was seven years.

22 Q. Seven years in total for both
23 crimes; is that correct?

24 A. Yeah. Six or seven years.

25 Q. And did you serve all of that

1 J. HOUSE

2 time?

3 A. Yes, I did.

4 Q. And where did you serve that
5 time?

6 A. Oh, in Auburn, Elmira, Green
7 Haven, Clinton, and that's it.

8 Q. And I believe that you said
9 that you had used crack, but you weren't
10 using crack when you were arrested; is that
11 correct?

12 A. Yes.

13 Q. Do you mean that to -- do you
14 mean by saying that that you were not under
15 the influence of crack at the time that you
16 were arrested?

17 A. What do you mean?

18 Q. Why don't you -- withdrawn.

19 Why don't you explain to me
20 what you meant by that you weren't using
21 crack at that time.

22 A. I -- I don't recall saying
23 that, but I wasn't using crack when I got
24 arrested.

25 Q. When you say you weren't using

1 J. HOUSE

2 been affiliated with any gang?

3 A. No.

4 Q. And when was the next time
5 after your release in 1997 that you were
6 convicted or otherwise charged with a
7 crime?

8 A. Two years later, 1999.

9 Q. Okay. And what were you
10 charged with at that time?

11 A. Possession of a gun.

12 Q. Were there any drug charges
13 that were affiliated at that time?

14 A. No.

15 Q. And what kind of gun did you
16 have at that time?

17 A. 380.

18 Q. Is that a handgun?

19 A. Yes, it is.

20 Q. And did you -- withdrawn.
21 Were you on parole at the time

22 that you were caught with this gun?

23 A. Yes, I was.

24 Q. And was this considered a
25 parole violation?

1 J. HOUSE

2 the room. It was the last bed on the right
3 side -- on the left side, rather. So
4 that's how I knew it was mine.

5 Q. And you said that Mr. Cooper
6 then placed it down on your genitals; is
7 that correct?

8 A. Yes, he did.

9 Q. And that -- when he picked it
10 up, that's when his hand touched you; is
11 that correct?

12 A. Yes. It touched me the first
13 time, but it was more prevalent the second
14 time.

15 Q. And when you say --

16 A. When he took the paper off, he
17 put his knuckles into it or something like
18 that, man.

19 Q. Is it possible that it was
20 accidental?

21 A. I don't think so.

22 Q. Why don't you think so?

23 A. I'm just -- first of all,
24 right, who places a piece of paper on your
25 genitals?

1 J. HOUSE

2 Second, why would you have to
3 take -- I mean, you gave me no instructions
4 about the paper. Why would you have to
5 take the paper off my genitals?

6 Q. Where was your DVD player at
7 the time?

8 A. On the side of my bed. On my
9 bed with me but on the side right here
10 (Indicating.)

11 Q. And were you -- you were laying
12 flat on your back watching the DVD player
13 that was on your side --

14 A. Yes, I was.

15 Q. -- is that correct?

16 A. Yes, I was.

17 Q. So he places this piece of
18 paper on your genitals, and then you said
19 when he went to pick it up, he had touched
20 you again; is that correct?

21 A. Mm-hmm.

22 Q. And just so I'm clear on why
23 you said it was in -- withdrawn.

24 I don't think you -- you really
25 answered the question as to what made you

1 J. HOUSE

2 believe that it was not accidental, so
3 could you just clarify for me?

4 MS. GIORGIO: Objection.

5 Q. You can go ahead and answer.

6 A. First of all, the nature of the
7 conversation, whatever conversation he had,
8 it -- it wasn't -- scratch that. Scrap
9 that.

10 THE VIDEOGRAPHER: The
11 microphone.

12 MS. GIORGIO: The microphone,
13 Mr. House.

14 A. Oh, okay.

15 Well, because there was no
16 reason to put the piece of paper on me in
17 the first place. If -- you know what I
18 mean? Like, there was no reason to put the
19 piece of paper on me, and there was no
20 reason to take the piece of paper off of
21 me. Like, who does that?

22 Q. So just based on his placing a
23 piece of paper on you, you're assuming that
24 it was intentional; is that correct?

25 MS. GIORGIO: Objection.

1 J. HOUSE

2 Q. You can go ahead and answer.

3 A. Yes.

4 Q. And what kind of bed --

5 withdrawn.

6 How big is the bed that you had
7 at The Doe Fund?

8 A. A regular twin size.

9 Q. Earlier you stated that you
10 reported this alleged incident with Mr.
11 Cooper to the police; is that correct?

12 A. Yes, I did.

13 Q. When you gave your report to
14 the police, did you tell them that you were
15 high?

16 A. Yeah.

17 MS. GIORGIO: Wait.

18 A. Well --

19 Q. You can answer. She --

20 MS. GIORGIO: Wait. The
21 question's very --

22 Q. When you told -- made your
23 report to the police, did you tell them
24 that you were high?

25 MS. GIORGIO: At the time he's

1 J. HOUSE

2 Q. Okay. So was he in a -- where
3 was he?

4 A. He was I think on the far side
5 of the room, but we in a room together
6 because he had on his uniform, his security
7 uniform.

8 Q. Santana did?

9 A. Yes.

10 Q. Security uniform for what?

11 A. He was working security.

12 Q. What --

13 A. For The Doe Fund.

14 Q. Okay. When you say working
15 security, what do you mean?

16 A. I mean he had a job in
17 security. Security hired him.

18 Q. Do you know if he was still a
19 participant in the Ready, Willing and Able
20 program at that time?

21 A. Yes, he was. He was still in
22 my room.

23 Q. And how do you know that -- so
24 you know he was -- but do you know if he
25 was in the Ready, Willing and Able program?

1 J. HOUSE

2 A. Yes, he was. Oh. Actually, I
3 don't know if he was in the Ready, Willing
4 and Able program. But I'm assuming that he
5 was because he worked with me, and then he
6 got switched to --

7 THE COURT REPORTER: He worked
8 with you?

9 A. Yeah, he worked with me. He
10 had a different route he used to go on, but
11 we used to work together, and then he got
12 switched to security. That's how I know.

13 Q. Okay. But you don't know if
14 when he was switched to security if he was
15 still on the Ready -- all you know --
16 strike that.

17 All you know is that when he
18 was switched to security or when he started
19 -- when he was in security -- strike that.

20 All you know is that when he
21 was in security that he was in the shelter.
22 You don't know if he was still part of the
23 Ready, Willing and Able program?

24 A. Yes.

25 Q. And you said you didn't hear